

HOUSE BILL 1383

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 38;
Title 39 and Title 40, relative to prostitution.

WHEREAS, according to the *Annals of Health Law and Life Sciences*, ninety-five and one-tenth percent (95.1%) of sex-trafficked survivors reported experiencing violence or abuse during the victimization; and

WHEREAS, prostitution is an inherent component of sex trafficking; and

WHEREAS, minor human trafficking victims have been identified and rescued when adults committing acts of prostitution were willing to speak with law enforcement; and

WHEREAS, those committing acts of prostitution often witness felony offenses and acts of violence committed against themselves and others; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act is known and may be cited as the "Tennessee Safe Crime Reporting Law."

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 13, Part 5, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Criminal act" means any misdemeanor or felony criminal offense;

(2) "Prostitution" has the same meaning as defined in § 39-13-512; and

(3) "Reporting person" means a person reporting a criminal act who is eligible for the protections provided under this section.

(b) A person who in good faith reports a criminal act, committed against the person or another, shall not be arrested, charged, or prosecuted for prostitution if the

evidence for the arrest, charge, or prosecution for the offense of prostitution resulted solely from the person's report of the criminal act.

(c) In an action based on a reported criminal act for which a reporting person is subpoenaed as a witness by a party, or otherwise testifies at trial, the reporting person must be considered a victim for the purposes of Rule 412 of the Tennessee Rules of Evidence.

SECTION 3. Tennessee Code Annotated, Section 39-13-514, is amended by deleting subdivision (b)(1) and substituting instead the following:

(1) Patronizing prostitution is a Class E felony.

SECTION 4. Tennessee Code Annotated, Section 39-13-514(d), is amended by adding the following new subdivision:

() If the victim of the offense was a minor, the subject of the offense reasonably believed that the victim of the offense was an adult; or

SECTION 5. This act takes effect July 1, 2023, the public welfare requiring it, and applies to acts committed on or after that date.